

ESTTA Tracking number: **ESTTA261098**

Filing date: **01/16/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91182589
Party	Defendant Bodegas Portia, S.L.
Correspondence Address	Laurel V. Dineff Dineff Trademark Law Limited 160 North Wacker Drive Chicago, IL 60606 UNITED STATES tmlaw@dineff.com
Submission	Motion to Consolidate
Filer's Name	Justin R. Young
Filer's e-mail	tmlaw@dineff.com, rcathcart@ladas.com
Signature	/justinryoung/
Date	01/16/2009
Attachments	Consented Motion to Consolidate Proceeding 91188190.pdf (2 pages)(11199 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

_____)		
Viñedos y Bodegas Corpora S.A.)		
v.)		Opposition No. 91188190
		-and-
Bodegas Portia, S.L.)		Opposition No.91182589
_____)		Opposition No. 91186552
		Cancellation No. 92048912

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION TO CONSOLIDATE PROCEEDINGS WITH CONSENT

In accordance with Rule 42(a) of the Federal Rules of Civil Procedure and TBMP §511, Applicant/Registrant, by its attorney, hereby moves the Board to consolidate the newly-filed Opposition No. 91188190 with the previously-consolidated Opposition No. 91182589, Opposition No. 91186552 and Cancellation No. 92048912, and to set new trial dates for the consolidated proceeding.

In each of the aforementioned proceedings, the parties are identical, the attorneys are identical, the marks are similar, answers have been filed, and there are common questions of law and fact. Consolidation will avoid unnecessary duplication of effort for both parties as well as the Board.

Applicant/Registrant has secured the express consent of all other parties to this proceeding for the consolidation of the proceedings and the reset of the discovery and testimony periods for the consolidated proceeding.

Bodegas Portia, S.L. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Respectfully submitted,



Bodegas Portia, S.L.
By and through they attorney
Justin R. Young
DINEFF TRADEMARK LAW LIMITED
160 N. Wacker
Chicago, Illinois 60606
Phone (312) 338-1000
Facsimile (312) 338-1500

Dated: January 16, 2009

Certificate of Service

I hereby certify that, as agreed by the parties to the Opposition Proceeding No. 91182589, a copy of the foregoing MOTION TO CONSOLIDATE PROCEEDINGS WITH CONSENT was served upon Mr. Ralph H. Cathcart, Attorney for Viñedos y Bodegas Corpora S.A., at his address of record by email on this date January 16, 2009.



Justin R. Young
DINEFF TRADEMARK LAW LIMITED
160 N. Wacker Drive .
Chicago, Illinois 60606
(312) 338 -1000